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2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

6 June 2005

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Summary record of the 2nd meeting
Held at Headquarters, New York, on Monday, 2 May 2005, at 3 p.m.

President:	Mr. de Queiroz Duarte	(Brazil)
later:	Mr. Koffler (Vice-President)	(Austria)
later:	Mr. de Queiroz Duarte	(Brazil)

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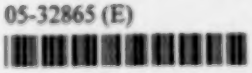

The meeting was called to order at 3.10 p.m.

General debate (*continued*)

1. **Ms. Hobbs** (New Zealand), speaking on behalf of the seven members of the New Agenda Coalition — Brazil, Egypt, Ireland, Mexico, South Africa, Sweden and her own country, New Zealand — called for a world security order in which nuclear weapons would have no role, as envisaged in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). She urged all States parties to fulfil their obligations under the Treaty and stressed, in particular, the need for China, France, Russia, the United Kingdom and the United States of America to work towards nuclear disarmament. Nuclear disarmament and nuclear non-proliferation must be mutually reinforcing. In that context, the agreed outcomes of both the 1995 Review and Extension Conference and the 2000 Review Conference with regard to effective disarmament measures had been sorely disappointing.

2. However heartening the reductions in non-strategic and strategic nuclear arsenals over the past decade, the ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) by three nuclear-weapon States and the collective efforts of nuclear-weapon States to secure vast amounts of nuclear material worldwide had been, the objectives set out in the CTBT preamble had yet to be realized. Indeed, according to the latest estimates, the number of existing nuclear warheads exceeded 30,000 — nearly equal to the estimated number of warheads existing at the time the Treaty had entered into force — and stocks of fissile material at their current level were sufficient to produce thousands more nuclear warheads. The "programme of action" towards the implementation of article VI contained in the Principles and Objectives for Nuclear Non-proliferation and Disarmament agreed to in 1995, as well as the 13 practical steps for the systematic and progressive efforts to implement article VI, agreed to in 2000 were far from being implemented. The New Agenda Coalition regretted that the CTBT had not yet entered into force, negotiations for a treaty banning the production of fissile material (fissile material cut-off treaty) had not yet begun, and a subsidiary body on nuclear disarmament had not been established. It was equally disappointing that the majority of weapons reductions were not irreversible, transparent or verifiable and the role of nuclear weapons in security policies had not been diminished since the previous two Conferences.

3. Against that backdrop, the broad support for the Coalition-sponsored resolution 59/75 of the General Assembly, entitled "Accelerating the implementation of nuclear disarmament commitments", reflected increasingly widespread concern and impatience at the unsatisfactory progress being made towards nuclear disarmament. The Coalition also believed that transparent and verifiable disarmament processes would facilitate and expedite the resolution of regional conflicts. Reiterating the Coalition's support for the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction, she called on Israel to accede to the NPT promptly and without conditions, and to place all its nuclear facilities under the comprehensive safeguards of the International Atomic Energy Agency (IAEA).

4. The Coalition, which advocated the establishment of a nuclear-weapon-free zone in South Asia, welcomed the recent warming of relations between India and Pakistan and urged the two States to remain engaged in meaningful dialogue, discontinue their nuclear-weapon programmes and accede unconditionally to the Treaty.

5. Turning to more recent threats, she expressed the Coalition's concern at the possibility of terrorists' acquiring nuclear weapons and at the activities of the A.Q. Khan network and, in that connection, welcomed the Security Council deliberations on weapons of mass destruction. The Coalition also called on the Democratic People's Republic of Korea to reconsider its nuclear-weapons programme and to re-engage in the six-party talks on peace and stability in the Korean Peninsula.

6. The Coalition welcomed the negotiations taking place between France, Germany and the United Kingdom — supported by both the High Representative of the European Union and IAEA — and the Islamic Republic of Iran on a long-term arrangement to provide objective guarantees that the Iranian nuclear programme would be used exclusively for peaceful purposes. It also welcomed Mexico's recent initiative in hosting the Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and the entry into force of the treaties of Tlatelolco, Rarotonga and Bangkok, which, it hoped would spur the entry into force of

similar treaties, such as the Treaty of Pelindaba. The Coalition supported the ongoing efforts by the five Central Asian States to establish a nuclear-weapon-free zone as well as Mongolia's international nuclear-weapon-free status. It hailed the decision of the Libyan Arab Jamahiriya to abandon its programmes for developing weapons of mass destruction and its cooperation with IAEA.

7. At the current Review Conference, the New Agenda Coalition would address increasing concerns about the lack of compliance with commitments under the NPT regime, particularly the troublesome evidence that some nuclear-weapon States were planning to develop new nuclear weapons or significantly modify existing ones. In order to ensure the effectiveness of a strengthened review process, the Coalition advocated the establishment of a subsidiary body on nuclear disarmament to monitor compliance with the commitment on the total elimination of nuclear weapons set out in the 2000 Final Document.

8. **Mr. Machimura** (Japan) expressed the hope that, on the sixtieth anniversary of the bombings of Hiroshima and Nagasaki, the Conference would reconfirm its commitment to the NPT in order to ensure that such a tragedy would never be repeated.

9. As disarmament and non-proliferation became increasingly relevant to international peace and security, reform of the United Nations, particularly the Security Council, was crucial. Japan, which had always been at the forefront of promoting disarmament and non-proliferation, was resolved to play an ever more active role in a functionally reinforced United Nations and would continue to uphold its three non-nuclear principles.

10. A number of steps should be taken in order to strengthen the functioning of the NPT. First of all, regional issues must be addressed. The nuclear programmes of the Democratic People's Republic of Korea, in particular, posed a serious threat to the international nuclear non-proliferation regime, and a direct threat to the peace and stability of North-East Asia, including Japan. Japan urged the Democratic People's Republic of Korea to comply with its obligations under the NPT by completely dismantling all its nuclear programmes, including its uranium enrichment programmes, subject to credible international verification. It also urged the Democratic People's Republic of Korea to return expeditiously to the six-party talks without preconditions. His delegation hoped that the Islamic Republic of Iran would reach an agreement with France, Germany and the United Kingdom, on the adoption of objective guarantees concerning the use of its nuclear programme for peaceful purposes. It called on India, Pakistan and Israel to accede to the NPT as non-nuclear-weapon States promptly and without conditions, welcomed the decision of the Libyan Arab Jamahiriya to abandon its programmes to develop weapons of mass destruction and supported the establishment of a zone free of weapons of mass destruction in the Middle East.

11. Second, practical nuclear disarmament measures must be implemented incrementally. In that connection, Japan urged those countries which had not yet ratified the CTBT to do so at the earliest possible date and called for an early commencement of negotiations on a fissile material cut-off treaty. Referring to the principles and objectives agreed and the 13 practical steps adopted at the 2000 Review Conference, he called on all nuclear-weapon States to take further initiatives towards nuclear disarmament, including deeper reductions in all types of nuclear weapons. Third, it was Japan's strong conviction that the universalization of the IAEA additional protocol was the most realistic and effective means of strengthening the nuclear non-proliferation regime. It called on all States that had not yet done so to conclude additional protocols without delay.

12. Stressing the importance of proactive cooperation in reinforcing the non-proliferation regime as a whole, he urged all States to implement the provisions of Security Council resolution 1540 (2004). Japan participated actively in the Proliferation Security Initiative (PSI) designed to strengthen international cooperation against trafficking in weapons of mass destruction and their delivery systems. Lastly, efforts to ensure the peaceful uses of nuclear energy must enjoy the confidence of the international community, based on faithful compliance with NPT obligations and transparency of nuclear activities. Japan continued to support IAEA technical cooperation activities in that context.

13. In conclusion, he drew attention to the working paper submitted by his delegation entitled "21 Measures for the 21st Century". The working paper outlined the messages Japan hoped the 2005 Conference would deliver.

14. **Mr. Downer** (Australia) expressed his delegation's strong support for the six-party talks as a means of resolving the nuclear situation in the People's Democratic Republic of Korea. It was regrettable that, one year after they had begun, those talks were at a standstill. While welcoming the decision by the Libyan Arab Jamahiriya to abandon its weapons of mass destruction programmes, his delegation was concerned at the pursuit of uranium enrichment activities by the Islamic Republic of Iran without justification, and by the activities of the A. Q. Khan proliferation network, which could be exploited by terrorists. That pattern of proliferation represented the gravest threat to the future of the NPT.

15. As existing measures were not sufficient to stop those bent on proliferation, in November 2004, Australia had hosted the Asia-Pacific Nuclear Safeguards and Security Conference, which had focused on the threat of nuclear proliferation and the emerging risk of nuclear terrorism. The Conference had highlighted the need for a sustained and comprehensive effort to enhance the nuclear safeguards and security framework, as indicated in the statement of its outcomes (NPT/CONF.2005/2).

16. Widespread conclusion of IAEA comprehensive safeguards agreements and additional protocols would best guarantee the long-term effectiveness of the NPT. Australia intended to make conclusion of an additional protocol a precondition for supplying uranium to non-nuclear-weapon States and would be consulting other suppliers and customers on the timing and implementation of that policy.

17. He called for the development of a framework to limit the spread of sensitive technology while respecting the rights to the peaceful uses of nuclear energy. Such a framework might include enhanced controls on the supply of sensitive nuclear technology; strengthened verification and detention procedures in States with such technology; and political measures to ensure reliable access to fuel for civil reactors by States that abandoned enrichment and reprocessing. The Conference must also decide how to deal with States that acquired sensitive nuclear technology only to withdraw from the Treaty. It was Australia's view that notice of withdrawal warranted immediate, automatic consideration by the Security Council.

18. Nuclear disarmament, however vital, should not be a prerequisite for strengthening the non-proliferation regime. Such an approach would affect the security afforded by assurances concerning the peaceful purposes of nuclear programmes in non-nuclear-weapon States. As coordinator for the next conference on article XIV of the CTBT, Australia would be striving for the entry into force of that Treaty. In the meantime, existing moratoriums on nuclear testing must remain in place. Australia contributed actively to the CTBT International Monitoring System (IMS), including as host to the highest number of IMS stations, and called for continuing support to the development of the System. Negotiation of a fissile material cut-off treaty that monitored compliance should be given the highest priority by the Conference. Pending those negotiations, his delegation urged China to join the other nuclear-weapon States in declaring a moratorium on the production of fissile material for nuclear weapons. It also appealed to India, Pakistan and Israel to impose such a moratorium, apply measures in support of global non-proliferation norms and, ultimately, accede to the NPT as non-nuclear-weapon States.

19. **Mr. Schmit** (Luxembourg), speaking on behalf of the European Union, the acceding countries (Bulgaria and Romania), the candidate countries (Croatia and Turkey), and the stabilization and association process countries (Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia), expressed the desire to help build a consensus by supporting the decisions and resolution adopted at the 1995 Review and Extension Conference and the Final Document of the 2000 Review Conference, taking into account the current international situation. The recommendations contained in the report of the Secretary-General and the report of the United Nations High-Level Panel on Threats, Challenges and Change should also be examined in detail by the Conference.

20. The 2003 European Union Strategy against Proliferation of Weapons of Mass Destruction was in line with its Common Position of November 2003 on the universalization and reinforcement of multilateral agreements on the non-proliferation of weapons of mass destruction and their means of delivery. The Strategy advocated a multilateralist approach based on the principle of shared commitments and obligations contained in legally binding instruments, and on the fulfilment of those obligations under multilateral agreements. The European Union attached the utmost

importance to reinforcing compliance with the Treaty, a policy that required an effective safeguards system for detecting violations and deterring the diversion of nuclear materials towards the manufacture of nuclear weapons. In that connection, the European Union viewed the IAEA comprehensive safeguards agreements and its Model Additional Protocol adopted in 1997 as the verification standard of the day and hoped they would be recognized as such by the Conference. It urged those States which had not yet concluded comprehensive safeguards agreements or an additional protocol with IAEA to do so without further delay.

21. The European Union was fully committed to the fight against terrorism and strongly supported all measures aimed at preventing terrorists from acquiring or developing nuclear, biological or chemical weapons and their means of delivery, as well as radiological dispersion devices. In that context, it welcomed and supported the inclusion of an anti-terrorist clause in each of the export control regimes, as well as IAEA action in that regard. It also welcomed the efforts of the Group of Eight to prevent terrorists or those harbouring terrorists from acquiring or developing weapons of mass destruction, missiles and related equipment and technology, and the unanimous adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. He stressed the importance of Security Council resolution 1540 (2004) in addressing such issues as diversion of and trafficking in materials that could be used to design, develop, manufacture or deploy nuclear, chemical or biological weapons and their means of delivery, and the role of non-State actors in the proliferation of weapons of mass destruction.

22. The European Union was deeply concerned that some non-nuclear-weapon States parties to the Treaty did not always comply with their non-proliferation obligations. It deplored the announcement in 2003 by the Democratic People's Republic of Korea of its intention to withdraw from the NPT and urged that country to fully comply with its obligations under the Treaty and its IAEA safeguards agreement. It hoped that the six-party talks would be resumed without delay. In view of the unprecedented announcement by the Democratic People's Republic of Korea, the Review Conference should give serious consideration to the question of withdrawal.

23. The European Union fully supported the negotiations currently under way between, on the one hand, France, the United Kingdom and Germany, with the participation of the High Representative for the Common, Foreign and Security Policy, and, on the other, the Islamic Republic of Iran, on the basis of the Paris Agreement of 15 November 2004. It welcomed the signature of the additional protocol by the Islamic Republic of Iran and its commitment to cooperate with IAEA on outstanding matters. It called on the Islamic Republic of Iran to comply with all its international commitments, and to provide objective guarantees that its nuclear programme was being used exclusively for peaceful purposes by halting the development and operation of fissile material production capability. It further urged the Islamic Republic of Iran to respect the provisions of the Paris Agreement and the relevant resolutions of the IAEA Board of Governors, particularly with regard to the suspension of all enrichment-related and reprocessing activities.

24. The dismantling by the Libyan Arab Jamahiriya of its weapons of mass destruction programme was a very positive precedent and an example to others. His delegation noted the conclusion of the Director-General of IAEA, that the uranium enrichment programmes of that country and Iran had shared common elements, including the procurement of basic technology from the A. Q. Khan network. In that connection, the European Union endorsed the call for all IAEA member States to identify supply routes and sources of nuclear technology and equipment.

25. The European Union favoured effective, internationally coordinated export controls to tackle illicit trafficking in highly sensitive nuclear equipment and technology. The involvement of non-State actors in the proliferation of such technology must be addressed. In view of the enhanced proliferation threat, all States must comply with Security Council resolution 1540 (2004). In that connection, the European Union would work to strengthen export controls and to define adequate consequences for failure to comply with non-proliferation obligations, while remaining mindful of the Treaty's core principles, in particular the peaceful uses of nuclear energy in conformity with article IV.

26. The European Union underlined the importance of continued international cooperation in the areas of safe radioactive waste management and radiological protection. It called upon States that had not yet done

so to accede to all relevant conventions as soon as possible.

27. While welcoming Cuba's and Timor-Leste's accession to the Treaty in 2002 and 2003, the European Union regretted that India, Israel and Pakistan remained outside it. In accordance with the Common Position of November 2003, the European Union continued to call on them to accede unconditionally to the Treaty as non-nuclear-weapon States. It noted the declared moratoriums by India and Pakistan on nuclear testing and welcomed the inclusion of nuclear confidence-building measures as part of their announced composite dialogue. They should declare moratoriums on the production of weapons-grade fissile material and sign and ratify the CTBT.

28. The European Union recognized the value of legally binding security assurances as provided through the protocols to the treaties establishing nuclear-weapon-free zones. Such assurances could serve as an incentive to forgo the acquisition of weapons of mass destruction and as a deterrent. In that connection, the European Union was committed to the 1995 resolution on the Middle East. It called on all States of the region to accede to the biological and chemical weapons conventions and the NPT and to establish an effectively verifiable zone free of weapons of mass destruction and their means of delivery. Those States must comply fully with their commitments and should conclude comprehensive safeguard agreements with IAEA.

29. The European Union urged China to join other nuclear-weapon States in declaring a moratorium on the production of fissile material for nuclear weapons and to abstain from any increase in its nuclear arsenal. It welcomed the Moscow Treaty and expected further reductions in the Russian and United States arsenals. It looked forward to the fulfilment of the declarations made by the presidents of those two countries in 1991 and 1992 on the unilateral reduction of their stocks of tactical nuclear weapons. All States should seek to achieve the greatest reductions in such weapons.

30. The European Union regretted the ongoing stalemate in the Conference on Disarmament. It was committed to reaching consensus, particularly with regard to the negotiation of a non-discriminatory and universal treaty banning the production of fissile materials for nuclear weapons.

31. All States that had not yet done so should sign or ratify the CTBT, as appropriate, at the earliest possible date. In that connection, his delegation welcomed its recent ratification by Algeria and the Democratic Republic of the Congo. Pending the entry into force of that agreement, all States should refrain from any actions contrary to their obligations thereunder and abide by a moratorium.

32. **Mr. Rademaker** (United States of America) said that the security of all Member States depended on all States parties' unstinting adherence to the Treaty. Its principal beneficiaries were non-nuclear-weapon States, which could be assured that their neighbours did not possess such weapons.

33. The Libyan Arab Jamahiriya should be commended for its decision to return to compliance with the Treaty and to cooperate with IAEA. It had thus moved to end its damaging international isolation. Like other States, including Belarus, Kazakhstan, South Africa and Ukraine, it had wisely concluded that national security interests were best served by turning away from nuclear weapons, and that it was never too late to decide to come into full compliance.

34. While those successes were important, instances of non-compliance presented the most serious challenges in the Treaty's history. While the majority of the State parties had lived up to their obligations, some continued to use the pretext of a peaceful nuclear programme to pursue the goal of developing nuclear weapons. To ensure the continued relevance of the Treaty, the Conference must reaffirm its collective determination that non-compliance with the Treaty's core non-proliferation norms was a clear threat to international peace and security.

35. The Democratic People's Republic of Korea had violated its safeguards and non-proliferation obligations under the NPT before announcing its intention to withdraw from it. In recent months that State had claimed to possess nuclear weapons. For almost two decades the Islamic Republic of Iran had conducted a clandestine nuclear weapons programme and, after two and a half years of IAEA investigations, was still not cooperating fully. It was determined to retain the nuclear infrastructure and continued to develop its nuclear capabilities at the margin of the suspension to which it had agreed in November 2004.

36. The language of article IV was explicit and unambiguous. Only States that were in compliance

with their non-proliferation obligations under articles I and II had the right to benefit from peaceful nuclear development. All nuclear assistance to violators, whether bilateral or through IAEA, should cease. With regard to the compliance challenges of the Democratic People's Republic of Korea, his Government was attempting through negotiations, including the six-party talks initiative, to achieve the complete, verifiable and irreversible elimination of that State's nuclear programme. His Government supported efforts to reach a diplomatic solution to Iran's nuclear problem. Any such solution must include permanent cessation of Iran's enrichment and reprocessing efforts and the dismantlement of equipment and facilities related to such activities. Furthermore, Iran must provide objective and verifiable guarantees that it was not using a purportedly peaceful nuclear programme to hide clandestine nuclear work elsewhere in the country.

37. Non-State actors posed a new challenge. A. Q. Khan's nuclear smuggling network had been disbanded, but the damage that it had caused to the non-proliferation regime persisted. Terrorist organizations sought to acquire nuclear weapons, and the consequences of their success would be catastrophic. Every possible step must be taken to thwart their efforts: security of nuclear materials must be improved and safeguards strengthened; effective export controls must be established and enforced and proliferation of weapons of mass destruction and their means of delivery by non-State actors must be criminalized. Security Council resolution 1540 (2004) required States to take such measures, and its adoption was an essential step towards reducing the dangers of illicit proliferation networks and the acquisition by terrorists of weapons of mass destruction.

38. His Government hoped that the Conference would lend support to certain activities calling for action outside the Treaty, including: making adherence to the Additional Protocol a condition of nuclear supply; closing a key loophole by restricting the spread of enrichment, reprocessing, and other sensitive technologies; establishing a safeguards committee of the IAEA Board of Governors, which would provide IAEA with much needed support and access; and strengthening the Proliferation Security Initiative.

39. His Government remained fully committed to fulfilling its obligations under article VI. The Treaty would be fully implemented by the end of 2012, by which time the United States would have reduced the number of strategic warheads deployed in 1990 by approximately 80 per cent. Thousands of weapons had already been eliminated, and billions of dollars had been spent to help other countries to control and eliminate their nuclear materials. Furthermore, the United States had ceased production of fissile material nearly two decades earlier. It reiterated its call for all nations committed to the negotiation of a fissile material cut-off treaty to declare a moratorium on the production of such material for use in weapons.

40. **Mr. Ahern** (Ireland) said that for Ireland a rules-based international order and strong international institutions were of fundamental importance. Failure to abide by the obligations undertaken pursuant to the various non-proliferation instruments posed a very serious threat to the integrity and vitality of the entire arms control system. The Treaty regime was robust, but it was not immune to such threats. Its erosion could become irreversible and result in a cascade of proliferation. The current Conference must serve to reinforce the authority of the Treaty.

41. It would be wrong to suggest that the story of the Treaty in the last five years had been entirely negative. There had been positive developments, such as the reduction in deployed nuclear weapons by some nuclear-weapon States and the effective action in support of disarmament by the G8 Global Partnership against the Spread of Weapons and Materials of Mass Destruction. Nonetheless, the Treaty had been subjected to very severe challenges. Failure to address such challenges effectively could undermine trust and confidence among States parties acting on the Treaty's common objectives, which could in turn undermine the Treaty.

42. Ireland urged the Democratic People's Republic of Korea immediately to dismantle any nuclear weapons programme in a transparent and verifiable manner, to allow the return of IAEA inspectors, to come into full compliance with all relevant international obligations, and to participate fully in the six-party talks initiative.

43. In the light of the unprecedented action by the Democratic People's Republic of Korea, the current Conference should strive to reach a common understanding of the implications of withdrawal from the Treaty and consider the best way to address such action. He urged the three States outside the NPT to accede unconditionally at an early date. He welcomed

current negotiations between the Islamic Republic of Iran and the United Kingdom, France and Germany, which he hoped would allay concerns and lay the foundations for new long-term arrangements acceptable to all. As for the black market in nuclear materials and technology operated by the Pakistani scientist, Dr. A. Q. Khan, the international community must do all it could to tackle illicit trafficking and procurement networks, and address non-State-actor involvement in them.

44. The Conference must also acknowledge and reinforce the vital role played by the IAEA safeguards system and accept that the Additional Protocol was an essential part of an effective safeguards regime. Indeed, the IAEA Safeguards Agreement and Additional Protocol should together be the verification standard for all States parties.

45. To uphold the authority and integrity of the NPT, the current Conference must address all its provisions equally. His delegation attached particular importance to article VI and remained convinced that disarmament and non-proliferation were mutually reinforcing processes. The continued retention, or unsatisfactory rate of elimination, of nuclear weapons could never justify proliferation by other States. However, States' respective obligations to eliminate or refrain from developing nuclear weapons were legally binding too. His delegation was therefore concerned that such weapons were still central to strategic concepts, particularly in the light of plans to develop new nuclear weapons or modify existing ones for new uses. He welcomed progress that had been made — such as the 2002 Moscow Treaty — but emphasized the importance of irreversible and transparent arms control measures. In the light of the Secretary-General's recent call for nuclear-weapon States to further reduce their arsenals and pursue arms control agreements that entailed disarmament and irreversibility (A/59/2005), he urged the Security Council to seize the opportunity for leadership and help strengthen the NPT. The adoption by consensus of the Final Document of the 2000 Conference (NPT/CONF.2000/28 (Parts I and II)) had demonstrated that progress could be achieved if there was sufficient political will.

46. His Government attached special importance to the 13 practical steps for the systematic and progressive efforts to implement article VI, particularly the nuclear-weapon States' unequivocal undertaking to totally eliminate their nuclear arsenals and was disappointed that some parties now seemed to be calling into question those commitments. Given the fundamental link between the NPT objectives and the CTBT, he urged those States whose ratification was required for the latter's entry into force to review their positions and move towards ratification. In the meantime, all States should continue to abide by a moratorium on testing. Other crucial steps, which had been delayed because the Conference on Disarmament had still been unable to agree on a programme of work, were the negotiation of a fissile material cut-off treaty and the establishment of a subsidiary body on nuclear disarmament. Lastly, he expressed the hope that the current Conference would examine its working methods and consider whether the current review process was the most effective. In Ireland's view, the process did not respond adequately to the needs of the Treaty. He therefore welcomed the proposal for annual meetings of States parties, as it would enable issues requiring an early response to be dealt with more effectively.

47. **Mr. Syed** (Malaysia), speaking on behalf of the Movement of Non-Aligned Countries, said that today's one-sided emphasis on proliferation, rather than disarmament in good faith, threatened to unravel the whole NPT regime. His Government's concerns in 1995 that indefinite extension was a carte blanche to the nuclear-weapon States had not been assuaged. The nuclear-weapon States and those States outside the NPT continued to develop and modernize their nuclear arsenals. The current Conference must call for an end to such madness and seek the elimination of all nuclear weapons, a ban on testing and the rejection of the nuclear deterrence doctrine. In 2000, the nuclear-weapon States had unequivocally undertaken to totally eliminate their nuclear arsenals, while world leaders gathered at the Millennium Summit had declared their resolve to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers (General Assembly resolution 55/2, para. 9). Much had happened since then. Fears about weapons of mass destruction, nuclear non-proliferation and nuclear terrorism were shared by all States. The nightmares would continue as long as nuclear weapons continued to exist. At the same time, there was a desire to preserve the inherent right to use nuclear technology, including energy, for peaceful purposes. The

Conference should address fears and seize the opportunity of making the Treaty and its review process more effective.

48. The non-aligned countries that were parties to the Treaty would be guided by the decisions taken at the XIII Conference of Heads of State or Government of the Non-Aligned Movement (Kuala Lumpur, 2003) and the XIV Ministerial Conference of the Non-Aligned Movement (Durban, 2004), both of which had affirmed that a multilateral approach was the only way of dealing with the multiplicity of disarmament and international security issues. The non-aligned States parties reaffirmed their long-established positions on nuclear disarmament and remained fully committed to their NPT obligations and the agreements reached in 1995 and 2000. The Movement had submitted a number of working papers outlining its views on various fundamental questions and making a number of key recommendations. He called on all States to recognize the importance of the full and non-selective implementation of all three pillars of the NPT. The non-aligned States parties remained fully convinced that the NPT was a key instrument with regard to both non-proliferation and nuclear disarmament, as it sought to ensure a balance between the mutual obligations and responsibilities of nuclear-weapon and non-nuclear-weapon States. Its indefinite extension did not imply indefinite possession of nuclear arsenals. The only way to curtail proliferation was to accept that total elimination of nuclear weapons was the only absolute guarantee against the use or threat of use thereof. Pending such total elimination, efforts to conclude a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority. The Non-Aligned Movement reaffirmed the importance of achieving the total elimination of all weapons of mass destruction, in particular nuclear weapons. It remained convinced that nuclear weapons posed the greatest danger to mankind and reaffirmed the need for all States to fulfil their arms control and disarmament obligations and to prevent the proliferation of weapons of mass destruction. General and complete disarmament should remain the ultimate objective. While recognizing recent moves by nuclear-weapon States towards disarmament, he reiterated the Movement's deep concern over the slow pace of progress.

49. The non-aligned States parties reaffirmed the inalienable right of States parties to engage in research, production and use of nuclear technology for peaceful purposes without discrimination. The free, unimpeded and non-discriminatory transfer of nuclear technology for peaceful purposes must be fully ensured and nothing in the Treaty should be interpreted as affecting that right. Nuclear-weapon States must refrain from nuclear sharing for military purposes under any kind of security arrangements. There should also be a total ban on transferring nuclear-related equipment, information, material and facilities, resources or devices and on extending nuclear, scientific or technological assistance to States that were not parties to the Treaty, without exception. Any effort to stem proliferation should be transparent and open to participation by all States, access to material, equipment and technology for civilian purposes should not be unduly restricted and efforts aimed at establishing nuclear-weapon-free zones should be supported. In that regard, he welcomed the convening in Mexico City in April 2005 of the Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones.

50. The international community should continue to seek ways of ensuring that the NPT remained a true cornerstone for global peace and security. In that connection, collective efforts towards the accession of the remaining three non-parties which possessed nuclear weapons should be renewed with vigour. Lastly, he hoped that the views and recommendations contained in the working papers submitted by the Movement would be given serious consideration by all States parties. The Movement was determined not to miss the current opportunity to create a better and safer world for future generations and expected all States to show the same constructive attitude.

51. **Mr. Fischer** (Germany) said that the adoption of a common position by the European Union was an important contribution to achieving a successful outcome. His Government fully endorsed the statement made by the representative of Luxembourg on behalf of the European Union. The sixtieth anniversary of the end of the Second World War was an opportunity once again to recall the lessons that the international community had drawn from its horror, namely the need for an international order and effective multilateral cooperation based on common rules. Such lessons remained as relevant today as they had ever been, given the many examples of international terrorism in

recent years. No State had the ability or resources to meet the current challenges alone. An effective international regime to counter the threats of nuclear weapons and their proliferation was therefore needed. Breaches of non-proliferation commitments and indications that nuclear weapons were playing an increasingly important role were worrying; everything must therefore be done to safeguard the integrity and strengthen the authority of the NPT. Efforts must be directed equally to the Treaty's two central aims: non-proliferation and disarmament.

52. In order to ensure that States abided by their non-proliferation commitments, it was important to: improve verification mechanisms, above all by universalizing the IAEA Additional Protocol and making it the new verification standard for the NPT; ensure that civilian nuclear energy was not misused for military purposes; make every effort to prevent terrorist groups from gaining access to weapons-grade nuclear material, by further increasing the security and physical protection of nuclear weapons and material; and forge a new strategic consensus in the Security Council on how to deal with severe violations of the Treaty and strengthen enforcement. He was by no means questioning the right to use nuclear energy for civilian purposes; every country must make its own decision on the basis of its contractual obligations. That being said, the international community must together develop a response to a very real proliferation risk that could arise from the closing of the fuel cycle. In addition, Governments needed to address a number of worrying regional developments, using all diplomatic options to achieve viable solutions and dispel the international community's concerns.

53. He called on the Democratic People's Republic of Korea immediately to return to the six-party talks, which provided an unmissable opportunity to minimize the nuclear risk posed by that country. The international community expected the Government concerned fully and verifiably to meet all its NPT obligations; such action was an absolute requirement for regional stability and in that State's own interests. As for the Islamic Republic of Iran, the breaches identified with regard to its Safeguards Agreement with IAEA had shaken the international community's confidence in the aims of its nuclear programme. The United Kingdom, France and Germany, with the support of the High Representative of the European Union, were conducting intensive negotiations with the State concerned in order to dispel the general concern, and the negotiation process had already borne fruit. The Islamic Republic of Iran was willing to work with IAEA to clarify any unresolved questions and had made a commitment to suspend all uranium enrichment and reprocessing activities for the duration of the negotiations. He called on that State to honour its commitments under the Paris Agreement and the relevant IAEA resolutions. The ultimate aim — as agreed by the Islamic Republic of Iran — was to conclude a long-term agreement based on "objective guarantees" aimed at ensuring that its nuclear programme could be used only for peaceful purposes. A lasting commitment by the Islamic Republic of Iran to give up uranium enrichment would place its relations with the European Union on a totally new footing.

54. Turning to the second central aim of the Treaty, he said that the end of East-West confrontation had brought new opportunities for disarmament. Steps should be taken to re-examine and further reduce existing arsenals of strategic and sub-strategic nuclear weapons. The current Conference provided an unmissable opportunity. A new impetus for nuclear disarmament was needed, not least effectively to counter the danger of an erosion of the NPT. The aim of German policy remained a world that was free from the threat of nuclear weapons. He was aware that such weapons could not be eliminated overnight; the international community needed a step-by-step approach that irreversibly led to complete elimination. The thirteen practical steps agreed at the 2000 Conference were the basis for nuclear disarmament and the benchmarks by which its success would be measured. While important progress had been made on nuclear disarmament since the end of the Cold War, decisive challenges still lay ahead. His Government was particularly committed to the entry into force of the CTBT and, until such time, expected nuclear-weapon States to maintain their moratoriums on nuclear testing and not to give rise to any doubts in that regard. It was also imperative to end the deadlock at the Conference on Disarmament and start negotiations on prohibiting the production of fissile material for weapons purposes. Nuclear-weapon States must also reaffirm, and take confidence-building steps in support of, their unequivocal undertaking to nuclear disarmament. Germany's aim was the reduction and ultimate elimination of sub-strategic nuclear weapons — an aim also highlighted in the European

Union step-by-step approach as advocated in the working paper on non-strategic nuclear weapons submitted by Germany (NPT/CONF.2005/PC.I/WP.5). As a first step, Germany proposed the complete implementation of the unilateral commitments made by the United States and the Russian Federation in 1991 and 1992 to reduce their sub-strategic nuclear arsenals. If transparency measures could be agreed, a further step would be to formalize and verify those unilateral commitments. Such action would constitute important steps towards eliminating such arsenals.

55. The international community must not take the NPT for granted or underestimate the risks to which it was exposed, now more than ever. A concerted effort must therefore be made to make the current Conference a success. Germany would make every effort to ensure the adoption of a strong and convincing Final Document with further-reaching agreements and recommendations. The threat posed by nuclear weapons and their proliferation would be successfully tackled only if all States contributed: nuclear-weapon States must live up to their commitments further to reduce their arsenals, while non-nuclear-weapon States must exercise their right to use nuclear energy for peaceful purposes in such a way that did not give rise to concern about misuse and military nuclearization. States parties must do everything in their power to create an effective multilateral order for the twenty-first century. If they succeeded in safeguarding and strengthening the NPT, it could play a central role in that endeavour.

56. **Mr. Wright** (Canada) said that the task of the current Review Conference, in response to the challenges that had arisen in the intervening five years, was to ensure the Treaty's continuing authority and effectiveness while maintaining the balance between its three core components.

57. Its first main pillar was nuclear disarmament. Commitments made had to be put into practice, and the 13 practical steps to implement article VI of the Treaty and achieve nuclear disarmament, set out in the final document of the 2000 Review Conference (NPT/CONF.2000/28, Part I) remained an objective benchmark against which to assess progress towards the elimination of nuclear weapons, the codification of negative security assurances, the creation or expansion of nuclear-weapon-free zones and broadened support for cooperative threat-reduction activities. Progress on nuclear disarmament had been compromised by the protracted impasse in the Conference on Disarmament, which all countries must work to end so that it could begin to negotiate a fissile material cut-off treaty and establish a subsidiary body on nuclear disarmament. Also, States not yet parties to the CTBT should ratify it so that it could enter into force, thus closing the door on entry-level proliferation and putting a cap on vertical proliferation. Proliferation, both horizontal and vertical, that had occurred since the last Review Conference, as corroborated by recent revelations about clandestine nuclear trafficking networks, was a matter of serious concern and required international efforts to ensure that weapons of mass destruction did not spread to States or terrorists prepared to use them under any circumstances.

58. In connection with the second core component, verification, 39 States parties still had not complied with their basic obligation to enter into a safeguards agreement with the IAEA, and that vulnerability had to be remedied. The 2005 Review Conference must recognize that a comprehensive safeguards agreement supplemented by an additional protocol constituted the NPT safeguards standard, pursuant to article III of the Treaty.

59. Continued confidence in the Treaty required the assurance that its third core component, the peaceful uses of nuclear energy and nuclear technology, in no way contributed to proliferation of nuclear weapons. The Conference must accordingly clarify the relationship between the various obligations under the Treaty, clearly establishing that the right of States to use nuclear energy for peaceful purposes under article IV was not absolute but rather was conditioned by obligations under articles I, II and III, and that rights were balanced by obligations in the case of both supplier and recipient States.

60. Recently, there had been several major shocks to the authority and integrity of the NPT. The Democratic People's Republic of Korea, disregarding its treaty obligations, had withdrawn from the Treaty, acknowledged that it now possessed nuclear weapons and been reluctant to re-enter negotiations. Canada called upon that State to return to the NPT, dismantle its nuclear weapons programme and accept comprehensive IAEA safeguards. In addition, Iran's extensive past undeclared nuclear activities, together with its efforts to acquire the full nuclear fuel cycle, suggested that it was seeking to develop a nuclear-weapon capability, contrary to its non-proliferation and

disarmament commitments. Permanent cessation of uranium enrichment and other proliferation-sensitive activities would be the only objective guarantee of the peaceful nature of that country's nuclear programme.

61. Canada called on the three States which had not yet acceded to the NPT — India, Israel and Pakistan — to do so as non-nuclear-weapon States, thus making it a universal legal instrument.

62. It was time for the States parties to the NPT to adapt to circumstances and do business differently: the strengthened review process of the past decade was no longer sufficient to promote full implementation of the Treaty. It was no longer enough to meet only once every five years to discuss critical issues, nor were the existing annual preparatory meetings adequate. Canada was thus proposing: an annual one-week meeting of States parties to serve as a regular policy forum, a feature standard in the operation of most other disarmament treaties; the creation of a rapid-reaction capability, vested in a standing bureau, that would complement action by the IAEA or the Security Council; and, in order to create a culture of transparency, a permanent system of regular reports by all States parties, covering all articles of the Treaty and related obligations.

63. Lastly, Canada welcomed the enhanced participation of civil society at all levels in the work of the NPT, a contribution that the Conference should acknowledge.

64. *Mr. Koffler (Austria), Vice-President, took the Chair.*

65. **Mr. Vohidov** (Uzbekistan) said it must be recognized that the NPT regime, long regarded as the cornerstone of nuclear non-proliferation, was fast losing its vitality and that its effectiveness as a curb on nuclear proliferation had eroded dangerously.

66. As an advocate of non-proliferation, Uzbekistan had signed the Convention on the Physical Protection of Nuclear Material, concluded a safeguards agreement and an additional protocol with the IAEA, and been one of the early signatories of the CTBT. Believing that regional interaction and stability represented one of the keys to ensuring global security, it strongly endorsed the multilateral initiative to establish a nuclear-weapon-free zone in Central Asia. A treaty to that effect, developed under the aegis of the United Nations and with encouragement from many sides, was now ready for signature.

67. Unfortunately, nuclear weapons would remain an important factor in global politics for some time to come, making it all the more urgent for States to strengthen the non-proliferation regime. The Review Conference had to take decisions about universalizing the NPT, compliance by the nuclear Powers and their provision of negative security guarantees to non-nuclear-weapon States, conclusion of additional protocols with the IAEA, and the issue of withdrawal from the NPT. All States should reaffirm their commitment to the 13 practical steps, the most urgent of which was the entry into force of the CTBT as an encouragement to international nuclear cooperation and an improvement of the global environment.

68. The existence of the black market in nuclear technology and materials was a matter of serious concern, for it increased the probability that weapons of mass destruction would be used by States or could fall into terrorist hands. Uzbekistan endorsed the provisions in Security Council resolution 1540 (2004) on preventing the access of non-State actors to such weapons; and it favoured the speedy entry into force of the Convention for the Suppression of Acts of Nuclear Terrorism.

69. One outcome of the Review Conference should be a strong message from States regarding the willingness to reform — not merely within the United Nations but throughout the whole system of international relations. The current Review Conference should pursue a compromise solution to reinforcing the NPT and its implementation, and should produce a concrete plan of action in its final document.

70. *Mr. de Queiroz Duarte (Brazil) resumed the Chair.*

71. **Mr. Taiana** (Argentina) said that, as part of a concern for creating a safer, more stable and equitable world, Argentina had pursued integration with its neighbours, banned weapons of mass destruction and worked in the international arena to that end. The convergence of its nuclear policy with that of Brazil, initiated when both States had returned to democracy, had allowed them to establish a system of mutual safeguards over the nuclear installations and materials of their two countries, under a bilateral inspectorate, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Material (ABACC). Argentina's

subsequent ratification of the NPT was the culmination of its commitment to non-proliferation and the peaceful use of nuclear energy.

72. It was a matter of concern that, nine years after its adoption, the CTBT, another cornerstone of the nuclear non-proliferation and disarmament regime, had not yet attracted the ratifications necessary for its entry into force, even though the current climate demanded that the moratorium on nuclear-weapon tests be maintained. It was also deeply troubling to note that the Conference on Disarmament, the only multilateral forum able to do so, had not begun negotiations on a fissile material cut-off treaty or established a subsidiary organ to address nuclear disarmament.

73. Although the NPT balanced the obligations of nuclear-weapon States and non-nuclear-weapon States, that balance in no way legitimized the permanent possession of such weapons or justified a lack of commitment to their obligations by the non-nuclear-weapon States. In the last five years, the failure to comply with commitments on non-proliferation had become critical. The ultimate goal remained general and complete nuclear disarmament, which would certainly not endanger any State's security needs. The existing NPT non-proliferation objectives must be applied rationally: safeguards could not be separated from the principles of efficiency and effectiveness, and automatic, mechanical verification procedures would debase the entire regime. The protocol perfected the regime and having closely observed how it operated in countries where it was in force, Argentina intended, in conjunction with the IAEA, Brazil and the ABACC, to conclude one. Since developing the technologies related to the full nuclear fuel cycle, Argentina had become aware of the threats that such technologies posed as well as the need not to restrict the legitimate objectives of peace-loving countries.

74. The safeguards regime must be accompanied by a collective security system that assigned distinct responsibilities to nuclear-weapon States that were permanent members of the Security Council. The two regimes in combination offered the necessary potential to deal with proliferation crises. Safeguards should apply to all, and restrictions only to the States which failed to comply. Security Council resolution 1540 (2004) had contributed enormously to the cause of non-proliferation of weapons of mass destruction and anti-terrorism, universalizing measures such as export control systems of the kind that Argentina had been implementing.

75. His Government, furthermore, advocated the creation of nuclear-weapon-free zones, specifically in the Latin American region, and it urged all nuclear-weapon States to retract, if possible, the interpretative statements they had made on the Additional Protocols to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) that might restrict the effectiveness of a Latin American nuclear-weapon-free zone.

76. No efforts should be spared to safeguard the integrity of the NPT and certain of its provisions should be strengthened. As recommended in the United Nations study on disarmament and non-proliferation education (A/57/124), his Government had consolidated links with regional and international organizations and non-governmental organizations in order to help develop a disarmament and non-proliferation culture and mentality. Moreover, four cities in Argentina had joined more than 900 others globally that advocated a world free of nuclear weapons.

77. **Mr. de Rivero** (Peru) said that, depending on the outcome of its work, the current Conference could signal the beginning of a renewed nuclear disarmament and non-proliferation process or end up in the same state of inertia as other key arms control and disarmament forums. While endorsing the statement made on behalf of the Movement of Non-Aligned Countries, he wished to outline a number of specific expectations. First, the Conference should analyse not only the mechanisms aimed at improving compliance with the NPT but also agreements adopted at preparatory committee meetings and previous Review Conferences, in particular those in 1995 and 2000. Ignoring such agreements would be a serious step backwards. His delegation therefore hoped that the impasse in the agenda could be resolved by reflecting that position in the work programme. The Conference must also adopt a consensus document containing specific recommendations. Very important decisions needed to be taken on non-compliance by nuclear-weapon and non-nuclear-weapon States, particularly those that were seeking to develop clandestine nuclear programmes under the guise of using nuclear energy for peaceful purposes. The consensus document must address, inter alia, nuclear disarmament, negative security assurances and regional issues, including the

establishment of a zone of peace in the Middle East. It was also essential to pronounce on the implementation of the 13 practical steps adopted in 2000, particularly those relating to the signing and ratification of the CTBT, the negotiation of a treaty aimed at prohibiting the production of fissile material, and the unrestricted application of the irreversibility principle as applied to nuclear disarmament.

78. Pursuant to the Treaty of Tlatelolco, his Government was a sponsor of the declarations of the Andean Zone of Peace and the South American Zone of Peace and Cooperation, and it believed that the Review Conference ought to recognize the importance of the establishment of nuclear-weapon-free zones as a practical step towards general and complete disarmament.

79. Peru shared the concerns over the absence of any provision in the NPT dealing with the acquisition of nuclear technology or radioactive sources that could be detonated conventionally by non-State actors. The Conference would also have to consider how to deal with the new situations created by States which had used their right under the NPT to develop nuclear technology for peaceful purposes only to withdraw from the Treaty and repudiate their non-proliferation and disarmament commitments. Non-proliferation and disarmament were mutually reinforcing regimes, and neither one could be given precedence without delegitimizing the Treaty.

80. With all its deficiencies, the NPT was still the fundamental instrument, and all States must be made to comply with the obligations they had assumed under it. The IAEA was the sole international body responsible for nuclear verification, and States should help it to achieve its objectives by concluding additional protocols with it.

The meeting rose at 6.15 p.m.